

IC

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

Gardell Delmaro Yancey

Plaintiff(s),

vs.

United States Government
United States Department of Justice
United States Department of Health and Human Services
United States Department of Education,
United States Postal Service
United States Department of Labor

Defendant(s).

Central Intelligence Agency
National Security Agency
National Aeronautics and Space Administration

RECEIVED

SEP 24 2024 CM

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Case No.

1:24-cv-08825

Judge Franklin U. Valderrama

Magistrate Judge Sheila M. Finnegan

RANDOM / Cat. 1

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is Gardell Delmaro Yancey.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

4. Defendant, _____, is
(name, badge number if known)
- ☐ an officer or official employed by _____;
(department or agency of government)
- _____ or
- ☐ an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is _____. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.
6. On or about _____, at approximately _____ ☐ a.m. ☐ p.m.
(month, day, year)
plaintiff was present in the municipality (or unincorporated area) of _____
_____, in the County of _____,
State of Illinois, at _____,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (***Place X in each box that applies***):

- ☐ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☒ used excessive force upon plaintiff;
- ☐ failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;
- ☐ failed to provide plaintiff with needed medical care;
- ☒ conspired together to violate one or more of plaintiff's civil rights;
- ☐ Other:

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: ***(Leave blank if no custom or policy is alleged):*** _____

8. Plaintiff was charged with one or more crimes, specifically:

9. ***(Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other")*** The criminal proceedings

- ☐ are still pending.
- ☐ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹
- ☐ Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows _____
- ☐ Other: _____

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

10. Plaintiff further alleges as follows: *(Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.)*

Attached letter

11. Defendant acted knowingly, intentionally, willfully and maliciously.

12. As a result of defendant's conduct, plaintiff was injured as follows:

13. Plaintiff asks that the case be tried by a jury. ☐ Yes ☒ No

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

9-24-24

United States District Court For The Northern District Of Illinois

Reason to file a Lawsuit

I am notifying the United States District Court For The Northern District Of Illinois about questionable activity that have occurred with the parties of the United States Government, United States Department of Justice, United States Department of Health and Human Services, United States Department of Education, United States Postal Service, United States Department of Labor, Central Intelligence Agency, National Security Agency and National Aeronautics & Space Administration with the alleged charges of the Fourteenth Amendment, Writ of Mandamus, Writ of Certiorari, Bill of Attainder, Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Official Misconduct, Long-Arm Jurisdiction, Obstruction of Justice, Hate Crime Assault, Abuse, Theft, Illegal Entry, Discrimination, Retaliation and Collusion. On 2-21-18, an assault was caught on camera at the Hanover Park Library, to where the local Police department was called to the location of the incident that involved a Hate Crime. The officers arrived on the scene, in which a request was made by me for the offender to be charged. Questionable actions occurred by the officers when they elected not to arrest the offender. This led to Sergeant McDonnell being called on the scene by the Plaintiff, in which he concurred with the officers' decision not to prosecute. I then expressed to the supervising officer that I did not agree with the decision given and that my rights were not exercised, to where all parties left the scene. Several attempts to contact supervising officers including Chief of Police Mike Menough at the Hanover Park Police Station were unsuccessful to date. A complaint was file about the incident with the department. Similar instances happened with the Oak Park, Chicago, North Riverside and Forest Park Police Departments in the denial of the Plaintiff's civil rights that displayed a pattern of behavior. The complaint was then escalated to the Illinois Attorney General's office about the discrepancy that occurred with the Hanover Park Police Department. After reviewing the grievance, the office elected not to investigate the claim stating that the department did not have jurisdiction with the Plaintiff's concern. However in their literature on its' website, it stated that the office does handle discrepancies with police. This led me to file a complaint with the Illinois Department of Human Rights regarding civil rights violations. The report was given to an investigator Maryann Petway, in which she did not conduct a formal interview about the concern. I attempted for years to resolve the manner through emails, voice messages and personal appearances, in which I did not get a reply from several members of the agency. However, this displayed another example of a possible pattern of behavior that is connected to previous complaints filed with the office that are still pending as shown here **18M0611.01**, **18M0611.02**, **18M0611.03** and **18M0611.04**. Included with the explanation, is a report to of which the Illinois Department of Human Rights did not file a claim that involved the Hate Crime Assault. Attempts to resolve the discrepancy with the parties for an inquiry consisted of: Deputy Director Alex Bautista, Intake Unit Department Manager Oscar Montes, Lead Investigator Intake Unit Jacquelyn Turner Hamb and Investigator Maryann Petway, to where emails can be provided for evidence that extended to 2-5-20. As a result, caused a disruption with the Due Process of the Law. This would answer any questions of Tolling the Limitation violation, because it was resolved by the request of an arrest with the Hanover Park Police of the person involved in the Hate Crime Assault that was not performed with the inclusion of a video as proof of the event. This could also account as Obstruction of Justice and Official Misconduct given that the incident was reported immediately. Another possibly that I am requesting for the court to consider is the Co-VID 19 crisis that caused a delay with closed government and municipal facilities.

On 5-31-23, I visited the FBI Chicago Branch at approximately 9:20 am, to where I spoke with a Hispanic female security guard via intercom about Hate Crimes that needed to be reported with the department. I was then told by her that it would be a wait time to meet with personnel regarding my concerns and to stand in the parking lot area for an agent. At 10:03 am, I met with agent Casey Halliberger outside of the complex, to where she started addressing my complaint. I asked immediately as to why were we having the conversation outside in the parking lot and not in the building. She explained that the CoVID-19 epidemic changed security protocols, to where this was standard. A statement letter was then given to Casey about the purpose of my complaint, which contained descriptions of Hate Crimes, Official Misconduct and National Security. She was told of supporting evidence to my claims, including a video of the assault available if needed. Casey then suggested that I file

the report online on their website at "lc3.gov." I then stated multiple times that there were National Security concerns with the inquiry, in which she ended the conversation abruptly and left into the building. On 6-2-23, I filed the complaint on their online website as requested, to where I have yet to receive a response to date about the inquiry.

The United States Department of Education is also in question regarding Northern Illinois University's Financial Aid & Scholarship and Bursar Office about questionable actions that may have occurred, which effected the status I had with the university. This is regarding possible claims of Due Process, Official Misconduct, Discrimination and Retaliation violations. A complaint was previously sent to the President Lisa C. Freeman, Financial Aid and Scholarship Director Samantha McCarron & Associate Director Sharon Collins, Bursar Director Miesha Daley, Ombudsperson Sandra Cox with no current investigations. The concern is about my Student Loan Balance, which in my opinion should have been sent to my lenders for deferment. I spoke with the Financial Aid & Scholarship and Bursar office about my concern, to where questionable statements were made by staff members regarding the discrepancy with the University. I tried for several months to resolve the issue that caused a hold with the school preventing me from registering for the Spring Semester of 2024. This was explained to the departments, in which I was given documentation that highlighted my point for a solution, however the problem still persisted. During this time, I incurred late fees that are now near the maximum availability of Financial Aid totaling \$12,500. I am questioning about the effect that it would have on the possible amount transferred to my loans, if resolved. Included is a concern of the legality with billing, to of which I may have been charged for two semesters in one that caused an outstanding balance. I am notifying the counselor for double billing, because I only attended one semester at the university. In addition, there may be a third bill that is in question with the Illinois Comptroller. However, there is another issue that needed to be addressed about the amount pending with my lenders Nelnet Inc. and EdFinancial that should have been considerably less. I would like to request an audit of the balances held for deferment as fraud. Also included as a discrepancy, involves a Pell Grant of \$5,700 that was not included in the documents given from the department through a request for record. I was notifying about the amount through a letter that was sent to my home address in the beginning of the Fall semester of 2023. Management was also notified about the occurrences with no inquiry thereafter. This may also have a connection with the grades that I received in the semester, to of which a Grade Appeal request was made with university that had discrepancies in the process. Documents are available if needed to support my claims.

There is also a possible connection between my places of employment that may involve Questionable Protocols, Coercion and Theft that needed to be reported to the United States Department of Labor. The United States Department of Health and Human Services also have incidents that need to be addressed as well that possibly prolonged my symptoms with various medical facilities I visited. Questionable actions have occurred regarding complaints of 16174891, 16174821, 16174839, 16185669, 16583968, 16584062, 16962224, 16972568, 16972317, 17238176, 17239885, 17452086, 19340413, 20101006, 21855639, 22466028, 22845309, 24273221, 25966120, 26074213, 26073461, 26379053, 26481119, 27532188, 29762614, 16428682, 16598322, 16598419, 16961304, 16973075, 16973113, 17239467, 17240202, 17452116, 19339849, 20101232, 21855380, 22466244, 22846079, 24273255, 25965850, 26073434, 26073687, 26380137, 26482239, 27531904 and 29763271 from the department that I would like to be reported as possible Bill of the Attainder violations. There also may be acts of collusion that included all parties brought under suit regarding the United States Government, United States Department of Justice, United States Department of Education, United States Department of Health and Human Services and the Central Intelligence Agency for a possible case. The reason for the listings were to establish a pattern of behavior from the defendants involving possible discrepancies with my civil rights. This is important, because it could show possible collusion between the parties to establish a story line for evidence in the trial if granted. There were also interests that needed to be protected in regards to ongoing occurrences that involve National Security. This is important because it could have an adverse effect on the outcome of the overall case filing.

Sincerely,
Gardell Yancey
2030 Sycamore Ave
Hanover Park, IL 60133
gyancey2002@yahoo.com



14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☒ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: Gardell Yancey

Plaintiff's name (print clearly or type): Gardell Delmaro Yancey

Plaintiff's mailing address: 2030 Sycamore Ave

City Hanover Park State IL ZIP 60133

Plaintiff's telephone number: () _____.

Plaintiff's email address (if you prefer to be contacted by email): _____

gyancey2002@yahoo.com

15. Plaintiff has previously filed a case in this district. ☒ Yes ☐ No

If yes, please list the cases below.

23-cv-3426, 23-ev-15398, 23-cv-16874, 24-cv-02048

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.